

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 2 has been cancelled, while the claims have been amended for clarity.

The Examiner has rejected claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,424,606 to Okazaki et al. in view of U.S. Patent 4,831,449 to Kimura.

The Okazaki et al. patent discloses a method for detecting vibration in a disc drive and apparatus therefor, in which photodiodes A-F detect a laser beam reflected from the surface of a rotating disc, and the outputs therefrom are applied to a vibration detector 190. Based on the amount of the determined vibration, a microcontroller 150 takes appropriate action, e.g., reducing the speed of rotation of the disc.

The Kimura patent discloses a television apparatus incorporating receiver and video tape recorder in a common cabinet, in which when vibrations in the cabinet exceed a particular level, if the VTR is in a recording mode, then the resulting recorded image may, when played back, exhibit "image shake" or distortion in the resulting displayed picture.

The Examiner now states:

"Okazaki is measuring the performance of the storage device (e.g., see column 10 lines 7-42 "*When the vibration value measured at resonance is greater than the predetermined vibration value limit, then the speed of operation is set 470 to low-speed mode, and the drive 100 is then operational 490 at the low speed. However, when the vibration value measured at resonance*

is less than the predetermined vibration value limit, then the speed of rotation is set 480 to high-speed mode, and the drive 100 is set to high speed. Low-speed refers to the speed of rotation of an unbalanced disc that will not cause annoyance to the user in the form of noise and vibration. High-speed refers to the maximum rated speed of the drive." This is equivalent to the claimed measuring the performance of the storage device since "..., the amount of unbalance in the disc corresponds to the vibration value." and "The maximum amount of unbalance in a disc that is allowed to rotate at the maximum rated speed of the drive is determined by the amount of noise and vibration that is acceptable by the user.")".

It should be clear from the above that Okazaki et al. is measuring vibration and limits the signal performance (rotation speed) of the drive based on the detected vibration level. Applicants remind the Examiner that claim 1 specifically states "measuring the signal performance of the storage device". Applicants have carefully reviewed all of Okazaki et al. and nowhere is there any disclosure or suggestion of means for measuring the signal performance of the storage device. Rather, Okazaki et al. clearly discloses means for measuring vibrations at the disc drive.

Claim 1 then clearly recites that the signal performance of the storage device "includes at least one of access time of the storage device, data access rate, and data storage rate". Applicant submits that none of these criteria include "vibration", which is being measured in Okazaki et al.

With regard to Kimura, Applicants submit that while Kimura "teaches" that performance of the storage device includes "video production", there is no disclosure that "the signal performance of

the storage device includes at least one of access time of the storage device, data access rate, and data storage rate". Rather, Kimura teaches that audio signals, when reproduced via integral loudspeakers, may adversely affect the video presentation on display, and may adversely affect the video signal being recorded such that when the recorded video signal is reproduced, "there may be a so called "image shake" or distortion in the resulting displayed picture".

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-20, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611